In the High Court of Judicature at Madras

Dated:03.07.2006

Coram:

The Hon'ble Mr. Justice P. SATHASIVAM

and

The Hon'ble Mr. Justice V. DHANAPALAN
Habeas Corpus Petition No.589 OF 2006

J.V. Rajkumar .. Petitioner

vs.

1. The Inspector of Police
   S-8 Adambakkam Police Station
   Adambakkam
   Chennai 600 088.

2. Ariya Nayagam
3. Shanthi Ariyanayagam
4. Srividya @ Nansy .. Respondents

Petition filed under Article 226 of the Constitution of India praying for the issuance of writ of Habeas corpus as stated therein.

For petitioner : Mr. M.V. Muralidaran
For respondents : Mr. M. Babu Muthu Meeran
Addl. Public Prosecutor for R.1

ORDER

(Order of the Court was made by P. SATHASIVAM,J.)

The petitioner, J.V. Rajkumar, has filed the above petition for production of his minor daughter Jacqueline, aged about 8 years before this Court.

2. In the affidavit filed in support of the above petition, particularly in para 6, the petitioner has stated that the 4th respondent, who is none else than his wife has filed a divorce petition in FCOP.No.969 of 2006 against him before the Prl. Family Court, Chennai. It is also stated that the petitioner himself filed two cases in FCOP.No.1225 of 2006 for conjugal rights against the 4th respondent and FCOP.No.1226 of 2006 for custody of minor child. According to him, both the cases are pending before the same Court.

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3. Learned Additional Public Prosecutor, on instruction reports that the minor daughter / detenue is presently with the 4th respondent, who is her mother.

In the light of the above factual information and of the fact that the petitioner himself has approached the competent Court to vindicate his grievance, he is free to pursue those petitions. With the above observation, this petition is dismissed.

Sd/-
Asst. Registrar.

/true copy/

Sub Asst. Registrar.

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To
1. The Inspector of Police
   S-8 Adambakkam Police Station
   Adambakkam, Chennai 600 088.

2. The Public Prosecutor, High Court, Madras.

+ 1 CC To Mr. M.V.Muralidaran, Advocate SR NO. 28160

H.C.P.No.589 of 2006
Dt.03.07.2006

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